

1 STATE OF SOUTH CAROLINA)

2 COUNTY OF RICHLAND)

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JUDICIAL MERIT SELECTION COMMISSION

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TRANSCRIPT OF PUBLIC HEARING

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BEFORE: REPRESENTATIVE ALAN D. CLEMMONS, CHAIRMAN

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MS. ELIZABETH H. BROGDON, CHIEF COUNSEL

10

SENATOR LARRY A. MARTIN

11

REPRESENTATIVE BRUCE W. BANNISTER

12

MS. KRISTIAN BELL

13

MR. ROBERT M. WILCOX

14

SENATOR GERALD MALLOY

15

REPRESENTATIVE DAVID J. MACK, III

16

MR. MICHAEL HITCHCOCK

17

MS. SUSAN T. WALL

18

19

DATE: December 17, 2015

20

TIME: 2:16 p.m.

21

LOCATION: Blatt Buildings, Room 516

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1101 Pendleton Street

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Columbia, South Carolina 29201

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REPORTED BY: LISA F. HUFFMAN, REPORTER

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THE HONORABLE WILLIAM GREGORY SEIGLER

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EXHIBIT NO. 1 11

- Amended Answers to Personal Data Questionnaire for
The Honorable Harris Bruce Williams dated December
16, 2015.

Legend of the Transcript

dashes [--] Intentional or purposeful interruption

[ph] Denotes phonetically written

[sic] Written as said

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P R O C E E D I N G S

CHAIRMAN CLEMMONS: Judicial Merit Selection Commission called pursuant to Chapter 19 of Title II, South Carolina Code of Laws, requiring review of candidates for judicial office.

The function of a Commission is not to choose between candidates, but rather to declare whether or not the candidates who offer for positions on the bench in our judgment are qualified to fill the positions they seek.

The inquiry we undertake is a thorough one. It is centered around the Commission's nine evaluative criteria and involves a complete personal and professional background check on each candidate.

Today we are reconvened to examine Judge William Gregory Seigler, who is seeking reelection to the Family Court 11th Judicial Circuit, Seat 1, and to vote on his candidacy for this seat.

With that, the Chair would entertain a motion to go into executive session to consider some matters that counsel has to

1 present.

2 SENATOR MALLOY: So moved.

3 SENATOR MARTIN: Second.

4 CHAIRMAN CLEMMONS: We have a motion and
5 a second. All those in favor, say "aye."

6 BOARD MEMBERS: "Aye."

7 CHAIRMAN CLEMMONS: Those opposed. The
8 ayes have it. And we are in executive
9 session. The doors will be secured. Any non-
10 staff or non-commissioned members, if you'd
11 please exit the room. Thank you.

12 (Off-the-record executive session.)

13 CHAIRMAN CLEMMONS: We're back on the
14 public record. Thank you, ladies and
15 gentlemen. The Judicial Merit Selection
16 Commission is now back on the record. For the
17 record, I would like to state that we've been
18 in executive session. However, no decisions
19 were made, no votes were taken during
20 executive session. We were in executive
21 session for the purpose of legal advice.
22 Senator Malloy is recognized.

23 SENATOR MALLOY: Thank you, Mr. Chairman.

24 (Brief pause.)

25 CHAIRMAN CLEMMONS: Senator Malloy,

1 please proceed.

2 SENATOR MALLOY: Thank you, Mr. Chairman.
3 I move that the Commission recognize that the
4 Bar report failed to comply with the statutory
5 requirements codified in Section 2-19-25,
6 which expressly provides that the Bar's
7 assessment must specify the Bar's finding as
8 to whether each candidate is qualified or
9 unqualified for the judgeship sought and the
10 reasons for that finding.

11 Mr. Chairman, the report that the Bar
12 sent to this Commission on October 7th, 2015
13 contain the Bar's assessment of the Fall 2015
14 candidates, but fails to include the reasons
15 for the findings as to Judge Seigler or any
16 other candidate. Because the Bar's report
17 states no basis for its findings, as required
18 by the statute, this Commission should find
19 the Bar's assessment to be of little or
20 limited persuasive value. I make that motion.

21 CHAIRMAN CLEMMONS: Thank you, Senator
22 Malloy. Is there a second to the motion?

23 MR. HITCHCOCK: Second.

24 CHAIRMAN CLEMMONS: Mr. Hitchcock seconds
25 the motion. Any discussion?

1 (No response.)

2 CHAIRMAN CLEMMONS: Hearing none, those
3 in favor, say "aye."

4 COMMISSION MEMBERS: "Aye."

5 CHAIRMAN CLEMMONS: Those opposed?

6 (No response.)

7 CHAIRMAN CLEMMONS: It's unanimous. The
8 ayes have it. Judge Seigler, would you come
9 forward, please.

10 (Judge Seigler comes forward.)

11 CHAIRMAN CLEMMONS: Judge, would you
12 raise your right hand and be sworn for the
13 purpose of today's hearing.

14 (The judge is sworn in.)

15 CHAIRMAN CLEMMONS: Thank you, Judge.
16 Thank you for coming back for our reconvened
17 hearing today. Judge, we are reconvened to
18 further consider your candidacy for reelection
19 to the Family Court 11th Judicial Circuit,
20 Seat 1.

21 Judge Seigler, the Commission has noted
22 the statutory difficulties, deficiencies in
23 the Bar report because it fails to provide the
24 reasons for its findings, as required by South
25 Carolina Code, Section 2-19-25. Although the

1 South Carolina Bar found you unqualified in
2 the areas of professional academic ability,
3 reputation, experience and judicial
4 temperament, the Bar failed to provide any
5 reasons for its findings, as the statute
6 expressly requires.

7 For these reasons, the Commission is not
8 giving the Bar report persuasive value as to
9 your candidacy. I would note that you had one
10 of the highest test scores on the test given
11 to family court candidates.

12 Further, Judge Seigler, the Midlands
13 Citizens Committee found you well qualified in
14 the areas of professional and academic
15 ability, reputation, experience, and judicial
16 temperament, as well as in the areas of
17 ethical fitness and character. The Midlands
18 Citizens Committee found you qualified in the
19 areas of constitutional qualifications,
20 physical health, and mental ability -- I'm
21 sorry, mental stability.

22 Finally the Citizens Committee remarked
23 that, quote, "Although we just interviewed
24 Judge Seigler for this position recently and
25 found him well qualified, we believe that he

1 has grown in his position nicely. He has the
2 qualities required to be a very good family
3 court judge," close quote. I would also note
4 that the Commission found you qualified and
5 nominated in the spring of 2014 and the
6 Commission has not received any complaints
7 against you during this screening.

8 Judge Seigler, I'd now ask you to please
9 answer any other questions the Commission
10 members may have. Do any Commission members
11 have questions?

12 (No response.)

13 CHAIRMAN CLEMMONS: Hearing none, Judge
14 Seigler, thank you so much for being with us
15 today. You're welcome to have a seat.

16 JUDGE SEIGLER: Thank you, sir.

17 CHAIRMAN CLEMMONS: Thank you. Is there
18 a desire to move into executive session? Or
19 may we proceed to a vote?

20 (No response.)

21 CHAIRMAN CLEMMONS: We shall proceed to a
22 vote. I think we've discussed qualifications
23 sufficiently to this point and we can dispense
24 with executive session. All those in favor of
25 finding Judge --

1 SENATOR MALLOY: I move that we find
2 Judge Seigler qualified and nominated.

3 CHAIRMAN CLEMMONS: Thank you. We have a
4 motion to find Judge Seigler qualified and
5 nominated. Is there a second?

6 REPRESENTATIVE MACK: Second.

7 CHAIRMAN CLEMMONS: All those in favor,
8 please raise your hand.

9 (The Commission members vote.)

10 CHAIRMAN CLEMMONS: And Senator Martin
11 has the proxy of Senator Campsen. And I had
12 the proxy of Representative Bannister, and
13 Representative Bannister votes "aye."

14 SENATOR MARTIN: Campsen votes "aye."

15 CHAIRMAN CLEMMONS: We have a unanimous
16 decision of finding Judge Seigler qualified
17 and nominated to the Family Court 11th
18 Judicial Circuit, Seat 1. Congratulations,
19 Judge Seigler.

20 JUDGE SEIGLER: Thank you, Mr. Chairman.

21 CHAIRMAN CLEMMONS: Thank you.

22 JUDGE SEIGLER: Thank everybody else as
23 well. Hope you have a good evening.

24 MS. BROGDON: Mr. Chairman and members of
25 the Commission, I have a procedural matter to

1 take care of. At this time, Mr. Chairman, I
2 would like to ask that the Honorable Harris
3 Bruce Williams' amendment to his PDQ be
4 entered as an exhibit into the hearing record.

5 CHAIRMAN CLEMMONS: Thank you. I
6 understand that there was an update with
7 regard to the -- go ahead and share with us
8 the reason for the --

9 MS. BROGDON: Judge Williams called
10 yesterday and said that there was a lawsuit
11 against he and other appellate court panel
12 members, as well as other judges in the lower
13 courts and all of the lawyers by a pro se
14 litigant, and he wanted to amend his PDQ to
15 reflect that lawsuit that was just filed. And
16 so I have his original copy, and I wanted to
17 update his PDQ.

18 CHAIRMAN CLEMMONS: May we have a motion?

19 MR. WILCOX: So moved.

20 SENATOR MARTIN: Second.

21 CHAIRMAN CLEMMONS: So we have a motion
22 and a second. Those in favor, say "aye."

23 BOARD MEMBERS: "Aye."

24 CHAIRMAN CLEMMONS: Those opposed?

25 (No response.)

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CHAIRMAN CLEMMONS: The eyes have it.
[EXHIBIT NO. 1, AMENDED JUDICIAL MERIT
SELECTION COMMISSION PERSONAL DATA
QUESTIONNAIRE FOR THE HONORABLE HARRIS BRUCE
WILLIAMS, DATED DECEMBER 16, 2015, ADMITTED.]

CHAIRMAN CLEMMONS: Is there any other
business that we need to consider at this
time?

(No response.)

CHAIRMAN CLEMMONS: Hearing none, ladies
and gentlemen, we want to thank you for
reassembling today, especially being so close
to Christmas. And we wish you all happy
holidays, until we meet again.

(There being no further questions,
the proceedings adjourned at 4:02 p.m.)

1 CERTIFICATE OF REPORTER

2 I, LISA F. HUFFMAN, COURT REPORTER AND NOTARY
3 PUBLIC IN AND FOR THE STATE OF SOUTH CAROLINA AT LARGE,
4 HEREBY CERTIFY THAT I REPORTED THE SAID PROCEEDINGS, ON
5 THE 17TH DAY OF DECEMBER, 2015, THAT THE CANDIDATES WERE
6 FIRST DULY SWORN AND THAT THE FOREGOING 11 PAGES
7 CONSTITUTE A TRUE AND CORRECT TRANSCRIPTION OF SAID
8 PROCEEDINGS TO THE BEST OF MY SKILL AND ABILITY.

9 I FURTHER CERTIFY THAT I AM NEITHER ATTORNEY NOR
10 COUNSEL FOR, NOR RELATED TO OR EMPLOYED BY ANY OF THE
11 PARTIES CONNECTED WITH THIS ACTION, NOR AM I FINANCIALLY
12 INTERESTED IN SAID CAUSE.

13 I FURTHER CERTIFY THAT THE ORIGINAL OF SAID
14 TRANSCRIPT WAS THEREAFTER SEALED BY ME AND DELIVERED TO,
15 JUDICIAL MERIT SELECTION COMMISSION, 1101 PENDLETON
16 STREET, COLUMBIA, SOUTH CAROLINA 29201, WHO WILL RETAIN
17 THIS SEALED ORIGINAL TRANSCRIPT AND SHALL BE RESPONSIBLE
18 FOR FILING SAME WITH THE COURT PRIOR TO TRIAL OR ANY
19 HEARING WHICH MIGHT RESULT IN A FINAL ORDER ON ANY
20 ISSUE.

21 IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL
22 THIS 14TH DAY OF JANUARY, 2016.

23 _____

24 LISA F. HUFFMAN, COURT REPORTER
25 MY COMMISSION EXPIRES JULY 25, 2025

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VERIFICATION OF DEPONENT

WE, JUDICIAL MERIT SELECTION COMMISSION, HAVE READ THE FOREGOING TRANSCRIPT CONSISTING OF 12 PAGES, WHICH WAS REPORTED BY LISA F. HUFFMAN, COURT REPORTER AND NOTARY PUBLIC IN AND FOR THE STATE OF SOUTH CAROLINA, ON THE 17TH DAY OF DECEMBER, 2016.

I FIND THE TRANSCRIPT OF SAID PROCEEDINGS TO BE A TRUE AND ACCURATE TRANSCRIPT ACCORDING THE TESTIMONY ON THAT DATE, WITH THE EXCEPTION OF _____ CHANGES AND/OR CORRECTIONS LISTED ON THE ATTACHED ERRATA SHEET WHICH WAS FILLED IN BY ME.

JUDICIAL MERIT SELECTION COMMISSION

_____, 2016

